

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number

0500-0614

Case Title:

Village of Crestwood, IL

Reporting Office:

Chicago, IL, Area Office

Subject of Report:

Interview of (b) (6), (b) (7)(C) on April 3, 2013

Activity Date:

April 3, 2013

Reporting Official and Date:

(b) (6), (b) (7)(C)

Special Agent

08-APR-2013, Signed by: (b) (6), (b) (7)(C)

Approving Official and Date:

(b) (6), (b) (7)(C)

Special Agent in Charge

08-APR-2013, Approved by: (b) (6), (b) (7)
Special Agent in Charge

SYNOPSIS

On April 3, 2013, (b) (6), (b) (7)(C) was interviewed. (b) (6), (b) (7)(C) provided details regarding his employment at the Village of Crestwood.

DETAILS

On April 3, 2013, (b) (6), (b) (7)(C) was interviewed by this reporting agent (RA), Special Agent (b) (6), (b) (7)(C) of the U.S. Environmental Protection Agency Criminal Investigation Division. Present for the interview was Assistant United States Attorney Timothy Chapman, as well as attorney (b) (6), (b) (7)(C), who represents the Village of Crestwood. This interview was previously scheduled by AUSA Erika Csicsila.

Prior to beginning the interview, AUSA Chapman advised (b) (6), (b) (7)(C) that the purpose of this interview was to determine whether (b) (6), (b) (7)(C) may be a witness during the upcoming trial involving (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). AUSA Chapman also advised (b) (6), (b) (7)(C) that he needed to be completely truthful during the interview. (b) (6), (b) (7)(C) acknowledged that he understood.

In summary and not verbatim unless otherwise noted, (b) (6), (b) (7)(C) provided the following information:

(b) (6), (b) (7)(C) graduated from high school in 1966. Shortly after high school, (b) (6), (b) (7)(C) enlisted in the Army, where he served for two years, until 1970. In approximately 1973, (b) (6), (b) (7)(C) went to work for a chemical company owned by Clark Refining, which was located in Blue Island, IL. (b) (6), (b) (7)(C) worked at the chemical company for approximately eight years, and then was given an opportunity to go to work for the Clark Refinery, also in Blue Island. (b) (6), (b) (7)(C) spent the next 20 years working at Clark as a heavy equipment operator, where his duties included operating cranes, backhoes, bulldozers, and a vac truck. In addition, (b) (6), (b) (7)(C) was on the haz mat team, which would respond if there was a spill at the facility. (b) (6), (b) (7)(C) retired from Clark in approximately 2000 to 2001. During the last year of his employment at Clark, he was laid off for a portion of the year.

Shortly after (b) (6), (b) (7)(C) stopped working at Clark, he went to work part time for the East Hazelcrest, IL public works department. (b) (6), (b) (7)(C) only worked there a short time. (b) (6), (b) (7)(C) then applied for a job in the public works department in Crestwood, IL, and was given a job as a laborer.

As a laborer, (b) (6), (b) (7)(C) would do many different jobs for the public works department, from cutting grass to plowing snow. (b) (6), (b) (7)(C) would occasionally work for the water department, especially when (b) (6), (b) (7)(C) was on vacation. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was in charge of the water department, and had complete control. (b) (6), (b) (7)(C) would report to (b) (6), (b) (7)(C) work for

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the water department included locating sewer and water lines and marking them in advance of any digging that was to occur. (b) (6), (b) (7) also spent much of his time changing out the water meters throughout Crestwood. Water meters were being changed from manual read meters to computer read meters. Nearly all of (b) (6), (b) (7)(C) time in Crestwood during his last two years of employment was spent changing the meters. (b) (6), (b) (7) stated that when the story about the use of the well broke in the media, the replacement program slowed, as some residents would not let Crestwood workers into their homes.

(b) (6), (b) (7) would also do other work for the water department, which included taking readings at well, and at the main water pump house. The readings would record how much water was pumped, in gallons. The readings were recorded in log books that were located at the well, and at the pump house. Readings would be taken once per day, including weekends. (b) (6), (b) (7) indicated that he would typically be on call once per month, either on a Saturday or Sunday. (b) (6), (b) (7) recalls that after the story about the well use broke in the media, he thought it odd that the village had actually been tracking the use of the well through the log books. (b) (6), (b) (7) stated that, at that time he thought to himself "why keep book on something illegal?"

With respect to the use of the well, (b) (6), (b) (7) stated that during his first month of employment in Crestwood, he had no discussions with anyone regarding the use of the well. (b) (6), (b) (7) stated that turnover amongst workers hired in Crestwood was so high during their first month, it was likely that the well was not discussed with (b) (6), (b) (7) until it appeared that he would continue working at the village. (b) (6), (b) (7) believes that he found out about the use of the well from either (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) while doing work for the water department.

About one month after (b) (6), (b) (7) had worked for the village, (b) (6), (b) (7) had an occasion to go to the well, likely to take pump readings. Village vehicles had radios in them that workers could use to communicate with each other. Over the radio, (b) (6), (b) (7) used the word "well." As soon as he said it, (b) (6), (b) (7) came on the radio, and told (b) (6), (b) (7) to report to his office immediately. (b) (6), (b) (7) reported to (b) (6), (b) (7) office, where (b) (6), (b) (7) told (b) (6), (b) (7) that he was never to say "well" over the radio or in front of village residents. When talking about the well, he was instructed to call it the "auxiliary" pump. (b) (6), (b) (7) believed that the village workers, including (b) (6), (b) (7)(C) did not want everyone to know about the use of the well as a source of water. (b) (6), (b) (7) stated that the use of the well always seemed to be secretive.

(b) (6), (b) (7) asked (b) (6), (b) (7)(C) if the water from the well was being tested, and (b) (6), (b) (7)(C) told him that the water was being tested, so (b) (6), (b) (7) believed that there was not a problem with using the well. During this conversation, the men did not talk about what the water was being tested for. (b) (6), (b) (7) stated that he never had any doubt that the water was safe, and that he and his wife actually lived in Crestwood and drank that same water. (b) (6), (b) (7) would often go throughout the village with (b) (6), (b) (7)(C) collecting water samples from different places. He had even been to the well to collect samples with (b) (6), (b) (7)(C).

(b) (6), (b) (7) stated that it was not until after the investigation into the well use had come about that he learned that the water from the well was only being tested for microorganisms, and not for various chemicals. (b) (6), (b) (7) initially stated that (b) (6), (b) (7)(C) had told him this information, but then indicated that it was either (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) that had told him about the testing.

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In approximately December 2007, (b) (6), (b) (7)(C) was informed by (b) (6), (b) (7)(C) that the EPA was coming to Crestwood to conduct an inspection relating to their drinking water. (b) (6), (b) (7)(C) sent some workers to the main pump house to mop the floors, and generally clean the building. (b) (6), (b) (7)(C) sent (b) (6), (b) (7)(C) to the well house to clean it out. He was told to take out the log book that contained the pump readings, pens, pencils, and scrap paper. He was also told to pull the pins out of the timer that would turn the pump for the well on and off. (b) (6), (b) (7)(C) told him to sweep out the well house, and make it look like no one had been inside for a long time. (b) (6), (b) (7)(C) stated that he told (b) (6), (b) (7)(C) that it may look funny, because if no one had been into the well house, it wouldn't be clean, it would look just the opposite. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) told him to do what he said, and sent (b) (6), (b) (7)(C) to clean out the well house. (b) (6), (b) (7)(C) could not recall the specific date that this had happened, but was certain that it was in conjunction with an EPA inspection. (b) (6), (b) (7)(C) was not certain if he saw the inspector that came out for the inspection. However, (b) (6), (b) (7)(C) was certain that he did not speak to the inspector.

AUSA Chapman asked (b) (6), (b) (7)(C) if he recalled previously telling EPA agents that, following the IEPA inspection (b) (6), (b) (7)(C) stated "they got me and I don't know what to do", to both (b) (6), (b) (7)(C) and other Crestwood employees. (b) (6), (b) (7)(C) stated that he did recall (b) (6), (b) (7)(C) making that statement. (b) (6), (b) (7)(C) explained that during the inspection, the IEPA inspector had asked (b) (6), (b) (7)(C) how the village was buying water from Alsip, yet billing the customers of Crestwood for more water than was purchased from Alsip. The inspector had asked (b) (6), (b) (7)(C) to explain where the additional water was coming from. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) and other workers that he could not explain to the inspector where the other water had come from.

(b) (6), (b) (7)(C) stated that while working at Crestwood, he often saw (b) (6), (b) (7)(C) signing other workers names to documents. This included vehicle maintenance logs, as well as forms relating to water samples. In the case of the water samples, (b) (6), (b) (7)(C) would sign (b) (6), (b) (7)(C) name. (b) (6), (b) (7)(C) stated that there seemed to be "a lot of signing by people that were not the real person."

(b) (6), (b) (7)(C) stated that, while at the public works warehouse in October 2009 picking up additional water meters, he walked by a kitchen area and saw (b) (6), (b) (7)(C) was standing near a sink, and had several water sample bottles with him. (b) (6), (b) (7)(C) was filling up the water sample bottles with water directly from the sink. (b) (6), (b) (7)(C) did not speak to (b) (6), (b) (7)(C) but as he walked by, the two men looked at each other. (b) (6), (b) (7)(C) immediately went and found two other workers, who also observed (b) (6), (b) (7)(C) filling the bottles. The other workers were (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) said something to (b) (6), (b) (7)(C) but did not know what was said. After (b) (6), (b) (7)(C) finished and left the area, (b) (6), (b) (7)(C) observed a sheet of paper which (b) (6), (b) (7)(C) had filled out, indicating the dates and times that the samples had been collected. (b) (6), (b) (7)(C) had signed (b) (6), (b) (7)(C) signature to the form, which was impossible, as (b) (6), (b) (7)(C) was off work due to an injury. (b) (6), (b) (7)(C) later pointed this out to (b) (6), (b) (7)(C) who responded that he did not care.

(b) (6), (b) (7)(C) stated that if (b) (6), (b) (7)(C) was off work, and (b) (6), (b) (7)(C) was responsible for collecting samples, the work would often not be done. (b) (6), (b) (7)(C) stated that if the weather was bad, and (b) (6), (b) (7)(C) did not want to leave the public works building, (b) (6), (b) (7)(C) would say that he was going to "fudge samples." (b) (6), (b) (7)(C) stated that he never saw (b) (6), (b) (7)(C) leave to collect samples, but would see full samples bottles and paperwork indicating that the sample had been collected throughout the village. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) always went out to collect samples. The October 2009 instance was the only time that (b) (6), (b) (7)(C) actually witnessed (b) (6), (b) (7)(C) filling sample bottles from the sink. (b) (6), (b) (7)(C) again stated that he never saw (b) (6), (b) (7)(C) leave to collect samples, but the bottles would end up being full. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) would not go out to collect the samples because he was lazy, and was beginning

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to deteriorate physically.

(b) (6), (b) (7) stated that the Village of Crestwood would do anything that they could to save money. If it was go to snow, workers would be sent home, often times by (b) (6), (b) (7)(C) in order to rest before plowing. If it didn't snow, workers would then "owe" the village eight hours of work. The next time it snowed, rather than receiving overtime pay, workers would deduct from the hours that they "owed" the village. (b) (6), (b) (7)(C) told the workers that the mayor, (b) (6), (b) (7)(C) wanted them to work like this. (b) (6), (b) (7) stated that (b) (6), (b) (7)(C) hated (b) (6), (b) (7)(C) but had to do what he was told. Aside from the responsibilities as a water operator, (b) (6), (b) (7)(C) was also in charge of many other jobs in the village, such as lighting, and maintaining parks and the baseball park.

(b) (6), (b) (7) had no knowledge of the LMO report forms. (b) (6), (b) (7) was generally aware of the Monthly Operating Report forms, but that he was not responsible for reviewing them or preparing them. (b) (6), (b) (7) was aware of the Consumer Confidence Reports, but only because he received them in the mail, from the village. (b) (6), (b) (7) had no responsibility in preparing the CCRs. (b) (6), (b) (7) stated that his was not a certified water operator, and that only (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were certified operators.

(b) (6), (b) (7) stated that, with respect to the October 2009 incident where he witnessed (b) (6), (b) (7)(C) filling the sample bottles, (b) (6), (b) (7) had made a note of it in his calendar that same day. (b) (6), (b) (7) produced a calendar where on October 13, 2009, he had written "H2O samples out of sink", "900/A". (b) (6), (b) (7) had also noted the initial of the other two men who had witnessed (b) (6), (b) (7)(C) collecting samples from the sink. (b) (6), (b) (7) agreed to provide SA (b) (6), (b) (7) with the calendar for safekeeping.